

**2009SP-027-001**

25th & Clarksville

Map: 081-02 Parcel: 123

Map: 081-06 Parcels: 283, 285, 286, 287,288, 289, 480, 485

North Nashville Community Plan

Council District 2 – Frank R. Harrison

Staff Reviewer: Brian Sexton

A request to rezone from IWD and CS to SP-C zoning for properties located at 404, 2404, 2406, 2408, 2410, 2412 and 2418 Clarksville Pike, 2111, 2113 and 2113-B 24th Avenue North, 2104 25th Avenue North and 25th Avenue North (unnumbered), at the northwest corner of Clarksville Pike and 24th Avenue North (2.25 acres), to permit retail uses requested by Dale & Associates, applicants, for T. Pool Manager, LLC and Emerald Estock LLC, owners.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP -Permit retail use.**

A request to rezone from Industrial Warehousing/Distribution (IWD) and Commercial Service (CS) to Specific Plan-Commercial (SP-C) for properties located at 404, 2404, 2406,2408, 2410, 2412 and 2418 Clarksville Pike, 2111, 2113 and 2113-B 24th Avenue North, 2104 25th Avenue North and 25th Avenue North (unnumbered), at the northwest corner of Clarksville Pike and 24th Avenue North (2.25 acres), to permit a retail use.

**Existing Zoning**

IWD District - Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

CS District - Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

**Proposed Zoning**

SP-C Specific Plan-Commercial is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes retail.*

**CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods

This SP adds to the creation of a walkable neighborhood. The site proposed for this SP is located east of Ed Temple Boulevard and south of Rosa Parks Boulevard. The site is surrounded by a mixture of single and multi-family residences, office, industrial, and commercial uses on all sides of the property. The SP adds to the walkable neighborhood environment by integrating a community shopping center into an existing neighborhood creating a destination that can be walked to from nearby residential, office, industrial or commercial uses. The SP also provides pedestrian pavers onto the site from 24th and 25<sup>th</sup> avenue enhancing the pedestrian streetscape. Community residents who live or work on the west, south or east sides of the property will be able to enjoy the convenience of walking to the shopping center from their home or business.

**NORTH NASHVILLE COMMUNITY PLAN**

**Community Center (CC)** CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

*Buena Vista Heights Detailed Design Plan*

**Commercial (Com)** Commercial is intended for commercial uses only, with no residential uses. It is intended for mixed commercial buildings with shops at street level and office uses on the upper levels.

**Consistent with Policy?** Yes. The request to rezone the property from IWD and CS to SP-C is consistent with the Commercial in CC policy. Appropriate uses within CC policy areas include commercial retail with an associated site plan.

**PLAN DETAILS** The preliminary site plan proposes a one-story retail use for a Save-A-Lot food store located east of Ed Temple Boulevard, and south of Rosa Parks Boulevard. The total acreage of the site is approximately 2.25 acres. A number of the properties proposed for this SP contain existing, vacant residences. These will be demolished prior to construction of the retail business. The lots will need to be consolidated into one lot before this project can be constructed. There is also an existing alley along 24<sup>th</sup> Avenue North that extends west and dead ends in the middle of the properties proposed for this development. The applicant has submitted a Mandatory Referral application to close the alley. The Mandatory Referral must be approved by Metro Council prior to the recording of the final plat to consolidate the existing lots.

The proposed shopping center will be surrounded by existing single and multi-family residences, office, industrial, and commercial. There are four MTA bus stops located along Clarksville Pike near the property and sidewalks are already in place which helps to support the critical planning goal of creating a walkable neighborhood.

**Building Orientation** The proposed shopping center is oriented toward both 24<sup>th</sup> Avenue North and Clarksville Pike. The primary entrance into the building is located on the west side of the shopping center fronting Clarksville Pike. The rear of the shopping center faces the northeast portion of the site and overlooks a loading area and green. A 12 foot retaining wall is planned along the northwest portion of the rear property line below grade. An eight foot retaining wall is also planned on the east portion of the property line along 24<sup>th</sup> Avenue North below grade.

A list of building materials and a set of adequate elevations for the shopping center were not submitted and will be required prior to Final Site Plan approval for this development.

**Access/Parking** Primary access to the site is located along Clarksville Pike. Sidewalks are already in place and pavers are proposed at the sidewalks of 24<sup>th</sup> and 25<sup>th</sup> Avenue to provide pedestrian access to the building. A sidewalk is also proposed from the shopping center to Clarksville Pike for pedestrian access to the site. The UZO standards of the Zoning Code require that 54 parking spaces be provided. The plan proposes a total of 77 on-site parking spaces which meets the parking requirement of the Code.

**Landscaping/Screening** A standard B Landscape Buffer Yard is proposed along east side of the shopping center and along the rear property line. A six foot tall black aluminum fence is proposed along the rear property line on top of the 12 foot retaining wall for safety. Landscaped rain gardens and greens are proposed on the north, south, east, and west sides of the property. The plan also proposes a 24 inch knee wall along 25<sup>th</sup> Avenue North and Clarksville Pike to provide additional screening for the parking area

Details of the landscaping and a list of trees and shrubs species consistent with the Urban Forester's tree density requirement have not been provided. A landscaping plan, list of trees and shrub species and a tree density unit table will be required prior to Final Site Plan approval for this development. A dumpster is located on the northeast portion of the property. Screening elevations for the dumpster were not submitted to staff and must be provided with the final site plan.

**Signs** Sign details were not included in this SP. Sign elevations for the shopping center will be required prior to Final Site Plan approval for this development. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all

electronic signs. Permitted signs include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

#### **FIRE MARSHAL RECOMMENDATION**

- All applicable fire codes shall be adhered to including but not limited to: Fire-flow shall meet the requirements of the International Fire Code - 2006 Edition - B105.1.

#### **STORM WATER RECOMMENDATION**

- All site outfalls shall discharge into appropriate infrastructure.

#### **PUBLIC WORKS RECOMMENDATION**

- This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.
- An access study or TIS is required prior to final SP rezoning.
- Driveway on Clarksville Pike should align with existing driveway on the south side.
- Detailed construction plans are required for proposed retaining wall adjacent to 24th Ave North.
- The slope away from the sidewalk should not exceed 3:1 or a handrail will be required.
- The proposed grading adjacent to 24th Avenue North requires installation of a guard rail that meets TDOT specifications. With installation of a guard rail, the sidewalk handrail may be omitted.

#### **Maximum Uses in Existing Zoning District: IWD**

<b>Land Use (ITE Code)</b>	<b>Acres</b>	<b>FAR/Density</b>	<b>Total Floor Area/Lots/Units</b>	<b>Daily Trips (weekday)</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
Office Building Low Rise(710)	2.02	0.8 F	70,392 SF	1019	142	158

#### **Maximum Uses in Existing Zoning District: SP-C**

<b>Land Use (ITE Code)</b>	<b>Acres</b>	<b>FAR/Density</b>	<b>Total Floor Area/Lots/Units</b>	<b>Daily Trips (weekday)</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
Supermarket (850)	2.02	-	15,498 SF	2430	NA	277

#### **Traffic changes between maximum: IWD and proposed SP-C**

<b>Land Use (ITE Code)</b>	<b>Acres</b>	<b>FAR/Density</b>	<b>Total Floor Area/Lots/Units</b>	<b>Daily Trips (weekday)</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
-	-	-	-	+1411	NA	+119

**STAFF RECOMMENDATION** Staff recommends approval with conditions of the zone change request. The request is consistent with the Commercial in Community Center policy of the community plan. The SP adds to the walkable neighborhood environment by integrating a community shopping center into an existing neighborhood creating a destination that can be walked to from nearby residential, office, industrial or commercial uses.

#### **CONDITIONS**

1. Prior to the issuance of any grading or building permits, all lots included in this SP district shall be consolidated.
2. Prior to the recording of the final plat, a Mandatory Referral for the closure of alley #1609 shall be approved by the Metro Council.
3. Prior to final site plan approval, the SP plan shall include a set of building materials and elevations for the building, which shall be reviewed and approved by the Planning Department.
4. Prior to final site plan approval, the SP plan shall include a landscape plan, list of proposed trees and shrub species and a tree density unit table, which shall be reviewed and approved by the Urban Forester.
5. All Public Works recommendations shall be satisfied on the SP final site plan.
6. Prior to final site plan approval, the SP plan shall include sign details. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. Permitted signs include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
7. This SP is limited to retail uses.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions, (9-0) *Consent Agenda*

**Resolution No. RS2009-158**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-027-001 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. Prior to the issuance of any grading or building permits, all lots included in this SP district shall be consolidated.
2. Prior to the recording of the final plat, a Mandatory Referral for the closure of alley #1609 shall be approved by the Metro Council.
3. Prior to final site plan approval, the SP plan shall include a set of building materials and elevations for the building, which shall be reviewed and approved by the Planning Department.
4. Prior to final site plan approval, the SP plan shall include a landscape plan, list of proposed trees and shrub species and a tree density unit table, which shall be reviewed and approved by the Urban Forester.
5. All Public Works recommendations shall be satisfied on the SP final site plan.
6. Prior to final site plan approval, the SP plan shall include sign details. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. Permitted signs include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
7. This SP is limited to retail uses.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
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eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

11. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**The proposed SP-C district is consistent with the North Nashville Community Plan's Community/Corridor Center policy, and its Commercial Detailed Design Plan policy.**